

## **EXHIBIT 3**

Motion to Deem Clerk's Default Void  
or in the Alternative, to Set it Aside

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**SUPERIOR COURT, STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

**RHONDIE VOORHEES**, an individual,

Case No. P1300CV202100396

**Plaintiff,**

Dept. 2

**AUDREY DAVIS**, an individual, and  
**JOHN JACOB HOWE**, an individual

**MOTION TO DEEM CLERK'S  
DEFAULT VOID OR IN THE  
ALTERNATIVE, TO SET IT ASIDE**

**Defendant.**

## 1.0 Introduction

Despite knowing that Audrey Davis was a servicemember on active duty, Plaintiff sought default against her under Ariz. R. Civ. P. 55(a). The application for default was materially defective on two separate grounds, rendering it void *ab initio*. Even if it hypothetically survived this challenge to its validity, there are good grounds to set it aside and permit Ms. Davis to defend herself on the merits.

Additionally, given that default was improperly entered even though Plaintiff was aware of Defendant Davis' military service, Defendant Davis requests reimbursement of the fees and costs she expended having default set aside.

1   **2.0   The Application for Default Was Void**

2   **2.1   Void due to error in military status**

3       Plaintiff's application for default contained the required certification from  
4 Plaintiff's counsel:

5       *"To comply with the requirements of 50 U.S.C.A. § 520, I verify that, to the best of  
6 my knowledge, the above-named party is not in the military service, and is not an  
7 infant or incompetent."*

8       Defendant will not accuse Attorney Warner of knowingly misrepresenting the facts.  
9 However, Attorney Warner was aware that Ms. Davis was going to be in active duty  
10 military service at the time. (See Email from Patrick Davis to Dan Warner and Anne  
11 Griffith, dated June 1, 2021, attached as **Exhibit A** to Patrick Davis Declaration; Audrey  
12 Davis Order, attached as **Exhibit A** to Audrey Davis Declaration (establishing that she was  
13 on active duty).)

14       However, it appears that this material falsehood in the Application is due to  
15 Attorney Warner misunderstanding the law, rather than a desire to mislead the Court.  
16 It appears, from Attorney Warner's arguments in the file thus far, that he did not consider  
17 ROTC to be "real military service." (See Response to Defendant's Motion to Continue, at  
18 4-5.) However, Defendant Davis has presented adequate case law that demonstrates that  
19 ROTC is, indeed, "military service." See, e.g., *Brown v. United States*, 151 F.3d 800, 805  
20 (8th Cir. 1998) ("Senior ROTC training activities are mandatory and supervised, and are  
21 defined as 'active military service'"); *Callis v. Shannon*, 93 Civ. 4983 (RPP), 1994 U.S.  
22 Dist. LEXIS 3711 (S.D.N.Y. Mar. 25, 1994) (describing an individual in the ROTC  
23 program as a member of the United States Army).

25       Pursuant to the provisions of 50 U.S.C. § 520, the affidavit submitted by Plaintiff's  
26 counsel with regard to the request for default contains misstatements regarding Defendant  
27

1 Davis' military service. Regardless of the fact that said misstatements were likely  
2 unintentional mistakes of law, the default is void. Defendant was engaged in active military  
3 service when default was requested. Defendant requests that the instant Motion be granted.  
4

5 **2.2 The Application is Void due to it being mailed in a manner that Davis could  
not have received it**

6 The application for default was mailed to Ms. Davis' parents' address in North  
7 Carolina, but was mailed there with the actual knowledge that Ms. Davis would be in  
8 ROTC drill at that time. Ms. Davis' father explained this to Attorney Warner. (See  
9 Declaration of Patrick Davis at **Exhibit A.**) Again, Attorney Warner may have mistakenly  
10 believed, in good faith, that "ROTC is not real military service." Nevertheless, he was on  
11 actual notice that mailing the Application for Default to Ms. Davis' mother, when Ms.  
12 Davis was scheduled to be on Fort Knox, was legally no different from sending no notice  
13 at all, thus voiding the Application. *See Ruiz v. Lopez*, 225 Ariz. 217, 236 P.3d 444, 588  
14 Ariz. Adv. Rep. 36, 2010 Ariz. App. LEXIS 123 (Ariz. Ct. App. 2010) (appellant mailing of  
15 default judgement to street address without apartment number was "tantamount to sending  
16 no notice at all").  
17

18 **3.0 Even if Valid, the Application for Default Should be Set Aside**

19 Even if it were not materially defective, and thus void, the Application for Default  
20 should be set aside. This Court has the right to set it aside upon "a determination of disputed  
21 questions of fact or credibility, a balancing of competing interests, pursuit of recognized  
22 judicial policy, or any other basis to which we should give deference." *Gen. Elec. Cap.*  
23 *Corp. v. Osterkamp*, 172 Ariz. 185, 188, 836 P.2d 398 (App. 1992) (quoting *City of*  
24 *Phoenix v. Geyler*, 144 Ariz. 323, 329, 697 P.2d 1073 (1985)).  
25

26 Most of the case law surrounding this issue is in the realm of default *judgments*  
27 being set aside. A mere clerk's default, without default judgment, should be set aside if

1 there is any reason at all to do so. However, even under the more stringent analysis of a  
2 default *judgment*, it would be proper to permit Ms. Davis to have due process and defend  
3 herself on the merits.

4 Arizona law favors resolution on the merits, and therefore, if the trial court has any  
5 doubt about whether to vacate a default judgment, it should rule in favor of the moving  
6 party. *Daou v. Harris*, 139 Ariz. 353, 678 P.2d 934, 1984 Ariz. LEXIS 187 (Ariz. 1984).  
7 *Sax v. Superior Court*, 147 Ariz. 518, 711 P.2d 657, 1985 Ariz. App. LEXIS 745 (Ariz. Ct.  
8 App. 1985) (When considering a motion to set aside a default, all doubts are to be resolved  
9 in favor of the defaulted party).

10 The test of what is excusable in a motion to set aside the judgment is whether the  
11 neglect or inadvertence is such as might be the act of a reasonably prudent person under  
12 similar circumstances. *Daou v. Harris*, 139 Ariz. 353, 678 P.2d 934, 1984 Ariz. LEXIS  
13 187 (Ariz. 1984).

14

15     **3.1 The failure to mail the Application in a manner that Ms. Davis would  
16 receive it creates grounds to set it aside.**

17 As discussed above, Ms. Davis was on active duty military service when Plaintiff  
18 sought default. Had it been sent to her unit at Fort Knox, she likely would have received  
19 it, and she may have been able to seek assistance from the Army Judge Advocate General's  
20 Corps (JAG). However, since she did not receive it until she returned from active duty  
21 status, she was unable to react to it. (*See* Audrey Davis Declaration at ¶ 10.) At the time,  
22 the parties were in regular contact via phone and email. (*See id.* at ¶ 11.) Therefore, this  
23 lack of notice could have *potentially* been avoided had the notice been sent via email as  
24 well.<sup>1</sup> Plaintiff chose not to use the most reliable and regular method of communication

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26     <sup>1</sup> This is not to take the position that email service is adequate under the applicable  
27 rules, but that this might have at least placed Ms. Davis on some kind of notice, even if that  
notice would not be acceptable notice under Rule 55.

1 between the parties – one that had seemingly been adequate for all other communications  
2 leading up to the motion for default. There is no suggestion that this was done as a strategic  
3 move, but it would seem that the neglect to copy Defendant with an email creates additional  
4 excusable neglect on Davis’s part.

5       Further, Ms. Davis did file a request to stay the proceedings, under the  
6 Servicemembers Civil Relief Act. Admittedly, it was not done to the standards that the Act  
7 calls for. Nevertheless, she did respond as a reasonably prudent person would have –  
8 sending a request to the Court to recognize her military status, and to ask for an extension  
9 of time in which to respond. That request has still not been acted upon, and could be acted  
10 upon in lieu of even considering this motion.  
11

### 12           **3.2 The default should be set aside under the SCRA**

13       If a court enters a default judgment against a servicemember, the court shall set aside  
14 its judgment if the servicemember files a motion within 60 days after leaving active  
15 military service and can demonstrate that military service prejudiced his or her availability  
16 to appear in court (unless the default was based on a false affidavit by the plaintiff regarding  
17 military service of the defendant, in which case such a showing is unnecessary) and that  
18 there are meritorious or legal defenses to the suit. We have shown how the affidavit was  
19 false (although, again, we do not claim that it was done so intentionally; this appears to be  
20 a mistake of law on Plaintiff’s part). Accordingly, given that the affidavit was false, no  
21 default judgment would be proper. And, any default entered would be able to be set aside.  
22  
23       *See 50 U.S.C. § 3931(g)(1).*

24       Defendant has shown that the affidavit was false. At the time of the Application for  
25 Default, Davis was indeed on active duty. Further, the Affiant knew she was on active duty.  
26  
27

1 The only issue is that the affiant seemed to be unaware of the fact that ROTC training is  
2 “active duty” under the SCRA.

3 **3.3 There was Excusable Neglect and a Meritorious Defense**

4 Ms. Davis has shown clear excusable neglect. She submitted a request for an  
5 extension to respond to Plaintiff’s Complaint pursuant to the Servicemembers Civil Relief  
6 Act. While she did not submit it in full compliance with the rules, she submitted it in the  
7 manner that a reasonably prudent person that did not have time to retain an attorney would  
8 have. Finally, she believed that submitting the request to the Court would keep her from  
9 defaulting until she could find an attorney. (*See* Audrey Davis Declaration at ¶ 14.)

10 Moreover, she was not disregarding this case. At her earliest opportunity, she filed  
11 paperwork to have counsel appointed. (*See id.* at ¶ 12.) She had multiple communications  
12 with Plaintiff’s counsel throughout the spring and summer of 2021 and repeatedly told him  
13 that she was in ROTC. (*See id.* at ¶¶ 4-5.) Her father additionally informed Mr. Warner  
14 that Ms. Davis was in active service in the military. (*See id.* at ¶ 8.) She was unable to find  
15 an attorney that would work for amounts that she could afford until August 30, 2021. (*See*  
16 *id.* at ¶ 16.)

17 With respect to a meritorious defense, Davis has filed a motion to dismiss, which is  
18 incorporated by reference. She is entitled to have default set aside and to litigate the merits  
19 of this case against Plaintiff Voorhees.

20 **4.0 Plaintiff Should Pay Ms. Davis’s Attorneys’ Fees**

21 This Court has inherent authority to sanction bad faith conduct independent of the  
22 authority granted by Rule 11. *Hmielewski v. Maricopa County*, 192 Ariz. 1, 4, 960 P.2d 47  
23 (App. 1997). These powers are governed by “the control necessarily vested in courts to

1 manage their own affairs so as to achieve the orderly and expeditious disposition of cases.”

2 *Id.*

3 In this case, Ms. Davis did nothing wrong. Moreover, given that a Clerk’s default is  
4 easily set aside, standards of decency suggest that counsel would agree to set the default  
5 aside, particularly when the defaulted party presented counsel with valid reasons for not  
6 filing a timely response to the Complaint. As such, Ms. Davis respectfully requests that the  
7 Court award her the attorneys’ fees and costs she expended getting the default set aside.  
8

## 9 5.0 Conclusion

10 For each and every reason expressed herein, Defendant Audrey Davis respectfully  
11 requests that the Court grant the instant Motion: The Court should deem the Application  
12 for Default void, *ab initio* and accept the Motion to Dismiss for resolution on its merits. In  
13 the alternative, the Court should set aside the default and accept the Motion to Dismiss on  
14 its merits. In either event, Davis requests the fees expended in setting aside the improperly  
15 sought default.

17 Dated: October 7, 2021.

Respectfully submitted,

18 /s/ Marc J. Randazza

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21 Attorneys for Defendants  
22 Audrey Davis and John Jacob Howe

1 Case No. P1300CV202100396  
2

3 **CERTIFICATE OF SERVICE**  
4

5 I HEREBY CERTIFY that on this 7th day of October 2021, I served a true and  
6 correct copy of the foregoing document via the Arizona Court's electronic filing system.  
7

8 I further certify that a true and correct copy of the foregoing document is being  
9 served upon counsel for Plaintiff via electronic mail and U.S. Mail at the address listed  
10 below:  
11

12 RM WARNER, PLC  
13 8283 N. Hayden Road, Suite 229  
14 Scottsdale, AZ 85258  
15 Daniel R. Warner, Esq.  
16 Email: dan@rmwarnerlaw.com  
17 Raeesabbas Mohamed, Esq.  
18 Email: Raees@rmwarnerlaw.com  
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**SUPERIOR COURT, STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

**RHONDIE VOORHEES,  
an individual,**

Plaintiff,

V.

**AUDREY DAVIS**, an individual, and  
**JOHN JACOB HOWE**, an individual

**Defendant.**

Case No. P1300CV202100396

Dept. 2

**DECLARATION OF**  
**PATRICK DAVIS**

I, PATRICK DAVIS, declare:

1. I am over 18 years of age and have never been convicted of a crime involving fraud or dishonesty. I have first-hand knowledge of the facts set forth herein, and if called as a witness could and would testify competently thereto.
  2. I am the father of Defendant Audrey Davis.
  3. On June 1, 2021, I informed Daniel Warner and Anne Griffith at Plaintiff's law firm that my daughter Audrey would be at Ft. Knox for active Army training for the summer.
  4. Attached as Exhibit A to this Declaration is a true and correct copy of an email that I sent to Mr. Warner and Ms. Griffith on June 1, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 10/7/2021

DocuSigned by:  
  
Patrick Davis  
2736BA085818443

## EXHIBIT A

Email from Patrick Davis to Dan Warner  
and Anne Griffith, dated June 1, 2021



...

P

me Jun 1

to Anne, Daniel ▾



...

Hello Ms. Griffith and Mr. Warner,

I am surprised to learn that this is advancing to formal legal proceedings. Audrey has complied with all of Dr. Voorhees requests. She did not receive the go-ahead to send out the apology but she has done so as a matter of integrity. Audrey wishes to put this behind her. She was the victim of sexual assault on her campus and Dr. Voorhees was part of those proceedings. Audrey's investigation took over 180 days to complete and during that time she was intimidated by her assailant and was forced to go to class with him. Audrey only contacted Dr. Voorhees when her employee Liz Frost did not respond to emails, asked Audrey to be an intermediary, and a simple investigation took over half a year. I spoke with Dr. Voorhees on the phone about Audrey's Title IX investigation which is why I am surprised regarding this reaction. I hope Dr. Voorhees will instead of proceeding to court will choose to forgive Audrey and put this all behind everyone.

Audrey is currently in North Carolina at her mother's residence (Shannon & Chris Theis, Raleigh-Durham). I do not have the address but I will send it as soon as Audrey texts it to me. Audrey will not be there long because she is going to Ft. Knox for Army training the remainder of the summer. If there is any possibility of this not going to formal proceedings I would ask humbly that you and Dr. Voorhees reconsider.

Kindly,  
Patrick

**SUPERIOR COURT, STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

**RHONDIE VOORHEES,**  
an individual,

Plaintiff,

V.

**AUDREY DAVIS**, an individual, and  
**JOHN JACOB HOWE**, an individual

**Defendant.**

Case No. P1300CV202100396

Dept. 2

**DECLARATION OF**  
**AUDREY DAVIS**

I, AUDREY DAVIS, declare:

1. I am over 18 years of age and have never been convicted of a crime involving fraud or dishonesty. I have first-hand knowledge of the facts set forth herein, and if called as a witness could and would testify competently thereto.

**2. I am a Defendant in this action.**

3. I am writing this Declaration in support of the Motion to Deem Clerk's

| Default Void or to Set It Aside.

4. I had extensive communications with Ms. Voorhees' attorney, Dan Warner, through the spring and summer of 2021.

5. In those conversations, and subsequent email communications, Attorney Warner was well aware that I was in ROTC.

1       6. I was on active orders for ROTC from July 02, 2021 to September 05, 2021.

2 Attached as Exhibit A to this declaration is a true and correct copy of the active orders I  
3 was under when Plaintiff requested default.

4       7. Being on active orders in the ROTC qualifies me as an active military service  
5 member.

6       8. My father, Patrick Davis, explained to Attorney Warner that I would be at  
7 ROTC drill and not at my parent's address in North Carolina. Attorney Warner mailed the  
8 Application for Default to my parent's address in North Carolina and, because of this, I did  
9 not receive the Application for Default until I returned home from active duty status.  
10

11      9. If the Application for Default had been sent to my unit in Fort Knox, it may  
12 have been possible for me to seek assistance from the Army Judge Advocate General's  
13 Corps (JAG).

14      10. Since I did not receive the Application for Default until I returned from active  
15 duty status, I could not react to it in the required timeframe.

16      11. Throughout this time, myself and Attorney Warner had been in regular  
17 contact via phone and email.

18      12. On 16, July, 2021 I filed my request to have counsel appointed and for a stay  
19 of these proceedings under the Servicemembers Civil Relief Act.  
20

21      13. I am not an attorney, but I did my research and provided a copy of the relevant  
22 statute to the court on July 19, 2021.

23      14. I was under the impression that filing this would keep me from defaulting,  
24 and I then did everything I could to find a lawyer.

25      15. I had great difficulty finding a lawyer, because I had to put my full attention  
26 to my military duties, which cut into the time I could spend. Further, I can not afford a  
27

1 lawyer who will not make significant accommodations for me, financially, as I am a full  
2 time student and my husband is an E-5 (Sergeant) in the U.S. Army whose schedule is  
3 constantly fluctuating due to being a part of the Global Response Force, meaning he will  
4 be a part of the first group to be emergency deployed.

5       16. It was not until August 30, 2021 that I was able to retain Randazza Legal  
6 Group (RLG) and RLG was a firm that was finally willing to represent me at a deep  
7 discount, which other firms were not willing to do.  
8

9                   I declare under penalty of perjury that the foregoing is true and correct.  
10

11                  Dated: 10/7/2021

12                  DocuSigned by:

13                    
Audrey Davis

E53D7B1781ED4EBC

Audrey Davis

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## EXHIBIT A

Duty Orders

DEPARTMENT OF THE ARMY HEADQUARTERS,  
UNITED STATES ARMY CADET COMMAND AND FORT KNOX  
1ST CAVALRY REGIMENT ROAD  
FORT KNOX, KY 40121-5123

ORDERS: CC-1148-00014

28 MAY 2021

DAVIS AUDREY  
NORTHERN ARIZONA UNIVERSITY (SA)  
NAU BOX 6043 BLDG 47A  
1415 S. SAN FRANCISCO ST  
FLAGSTAFF AZ 86011-0000

USACC-AFS [REDACTED]  
USAR CONTROL GROUP (ROTC)

YOU ARE ORDERED TO ACTIVE DUTY FOR TRAINING (ADT) FOR PROFESSIONAL DEVELOPMENT FOR THE PERIOD SHOWN. ON COMPLETION OF THE PERIOD OF ADT, UNLESS SOONER RELEASED OR EXTENDED BY PROPER AUTHORITY, YOU WILL RETURN TO THE PLACE WHERE YOU ENTERED ADT.

PERIOD: 38 DAYS PLUS ALLOWABLE TRAVEL TIME  
REPORT TO: WOMTT4 ROTC SUMMER TRAINING FT KNOX COPPLE CENTER, BLDG 6590. FT KNOX KY 40121-0000

REPORT DATE/TIME: 02 JUL 2021

END DATE/TIME: 08 AUG 2021

ATTACHED TO: WOMTT4 ROTC SUMMER TRAINING FT KNOX COPPLE CENTER, BLDG 6590. FT KNOX KY 40121-0000

PURPOSE: ADT FOR PROFESSIONAL DEVELOPMENT (CLC)

ADDITIONAL INSTRUCTIONS: THIS ORDER DOES NOT CONSTITUTE AUTHORITY TO TRAVEL. AN AUTHORIZATION MUST BE COMPLETED WITHIN THE DTS PRIOR TO TRAVEL. ENSURE TRAVEL AUTHORIZATIONS INCLUDE ALL ESTIMATED MILEAGE AND NON-MILEAGE EXPENSES. SCAN OR FAX THIS ORDER INTO THE RECEIPTS AREA IN DTS (SELECT EXPENSES>SUBSTANTIATING RECORDS). GOVERNMENT MEALS, LODGING, AND TRANSPORTATION ARE DIRECTED. INITIAL OR RETURN TRAVEL FOR A CADET WHOSE TRAVEL ORIGINATES FROM A ROTC INSTITUTION OR HOR OUTSIDE OF THE CONTINENTAL UNITED STATES (OCONUS) IS DIRECTED BY GTR FURNISHED BY THE TRANSPORTATION OFFICER AT THE AERIAL PORT OF EMBARKATION. IF GOVERNMENT FURNISHED TRANSPORTATION IS NOT AVAILABLE FROM AN OVERSEAS LOCATION, A STATEMENT TO THIS EFFECT MUST BE OBTAINED FROM THE APPROPRIATE TRANSPORTATION OFFICER. IF POV IS AUTHORIZED, REIMBURSEMENT IS LIMITED TO CONSTRUCTIVE COST OF GTR. CADET MUST HAVE PICTURE IDENTIFICATION IN HIS/HER POSSESSION AT ALL TIMES. IF A COMMON ACCESS CARD (CAC) HAS NOT BEEN ISSUED, A VALID DRIVERS LICENSE OR PICTURE IDENTIFICATION IS REQUIRED. LODGING AND SUBSISTENCE WILL BE FURNISHED AT NO EXPENSE TO THE CADET EXCEPT AS REQUIRED BY DODFM, PARAGRAPH 580103C. CADET MUST FILE DTS VOUCHER WITHIN FIVE DAYS OF COMPLETING TRAVEL. THE APPROPRIATE DTS ENTRY AGENT WILL GATHER ANY RECEIPTS FOR REIMBURSEMENT, UPLOAD THEM INTO DTS, AND FILE THE VOUCHER USING DTS. TRAVEL WILL BE BILLED TO A CENTRALLY BILLED ACCOUNT (CBA). TWO CHECKED BAGS, NTE 50 LBS EACH, ARE AUTHORIZED.

FOR ARMY USE:

AUTHORITY: SECTIONS 672(D) AND 683(A)(1), TITLE 10, USC FOR ADT WITH PAY. PAY ONLY IF CPDT IS AT LEAST 4 WEEKS DURATION TO INCLUDE SUCCESSIVE PERIODS OF CPDT AT MULTIPLE SITES  
ACCT CLAS: 21Z2010000057013016X5600017019

DOR: N/A PPN: N/A COMP: USAR SEX: F TYTR: N/A SECCLR: SECRET  
PEBD: N/A HOR: N/A TAC: N/A

FORMAT: 260

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\* USACC \*  
\* OFFICIAL \*  
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SULA L. IRISH  
COL, GS  
DEPUTY CHIEF OF STAFF, G1

DISTRIBUTION: 1 SOLDIER  
1 ROTC SUMMER TRAINING FT KNOX COPPLE CENTER, BLDG 6590. FT KNOX KY 40121-0000

U  
DEPARTMENT OF THE ARMY HEADQUARTERS,  
UNITED STATES ARMY CADET COMMAND AND FORT KNOX  
1ST CAVALRY REGIMENT ROAD  
FORT KNOX, KY 40121-5123

ORDERS: CC-1168-00055

17 JUN 2021

DAVIS AUDREY E  
NORTHERN ARIZONA UNIVERSITY (SA)  
NAU BOX 6043 BLDG 47A  
1415 S. SAN FRANCISCO ST  
FLAGSTAFF AZ 86011-0000

USACC-AFS CDT [REDACTED]  
USAR CONTROL GROUP (ROTC)

YOU ARE ORDERED TO ACTIVE DUTY FOR TRAINING (ADT) FOR PROFESSIONAL DEVELOPMENT FOR THE PERIOD SHOWN. ON COMPLETION OF THE PERIOD OF ADT, UNLESS SOONER RELEASED OR EXTENDED BY PROPER AUTHORITY, YOU WILL RETURN TO THE PLACE WHERE YOU ENTERED ADT.

PERIOD: 28 DAYS PLUS ALLOWABLE TRAVEL TIME  
REPORT TO: W6CRAA FT BENNING, GA FT BENNING FT BENNING GA 31905-0000  
REPORT DATE/TIME: 09 AUG 2021  
END DATE/TIME: 05 SEP 2021  
ATTACHED TO: W6CRAA FT BENNING, GA FT BENNING FT BENNING GA 31905-0000  
PURPOSE: ADT FOR PROFESSIONAL DEVELOPMENT (CTLTFBGA)

ADDITIONAL INSTRUCTIONS: THIS ORDER DOES NOT CONSTITUTE AUTHORITY TO TRAVEL. AN AUTHORIZATION MUST BE COMPLETED WITHIN THE DTS PRIOR TO TRAVEL. ENSURE TRAVEL AUTHORIZATIONS INCLUDE ALL ESTIMATED MILEAGE AND NON-MILEAGE EXPENSES. SCAN OR FAX THIS ORDER INTO THE RECEIPTS AREA IN DTS (SELECT EXPENSES>SUBSTANTIATING RECORDS). GOVERNMENT MEALS, LODGING, AND TRANSPORTATION ARE DIRECTED. INITIAL OR RETURN TRAVEL FOR A CADET WHOSE TRAVEL ORIGINATES FROM A ROTC INSTITUTION OR HOR OUTSIDE OF THE CONTINENTAL UNITED STATES (OCONUS) IS DIRECTED BY GTR FURNISHED BY THE TRANSPORTATION OFFICER AT THE AERIAL PORT OF EMBARKATION. IF GOVERNMENT FURNISHED TRANSPORTATION IS NOT AVAILABLE FROM AN OVERSEAS LOCATION, A STATEMENT TO THIS EFFECT MUST BE OBTAINED FROM THE APPROPRIATE TRANSPORTATION OFFICER. IF POV IS AUTHORIZED, REIMBURSEMENT IS LIMITED TO CONSTRUCTIVE COST OF GTR. CADET MUST HAVE PICTURE IDENTIFICATION IN HIS/HER POSSESSION AT ALL TIMES. IF A COMMON ACCESS CARD (CAC) HAS NOT BEEN ISSUED, A VALID DRIVERS LICENSE OR PICTURE IDENTIFICATION IS REQUIRED. LODGING AND SUBSISTENCE WILL BE FURNISHED AT NO EXPENSE TO THE CADET EXCEPT AS REQUIRED BY DODFM, PARAGRAPH 580103C. CADET MUST FILE DTS VOUCHER WITHIN FIVE DAYS OF COMPLETING TRAVEL. THE APPROPRIATE DTS ENTRY AGENT WILL GATHER ANY RECEIPTS FOR REIMBURSEMENT, UPLOAD THEM INTO DTS, AND FILE THE VOUCHER USING DTS. TRAVEL WILL BE BILLED TO A CENTRALLY BILLED ACCOUNT (CBA). TWO CHECKED BAGS, NTE 50 LBS EACH, ARE AUTHORIZED.

FOR ARMY USE:

AUTHORITY: SECTIONS 672(D) AND 683(A)(1), TITLE 10, USC FOR ADT WITH PAY. PAY ONLY IF CPDT IS AT LEAST 4 WEEKS DURATION TO INCLUDE SUCCESSIVE PERIODS OF CPDT AT MULTIPLE SITES  
ACCT CLAS: 21Z2010600057013016X5600017019

DOR: N/A PPN: N/A COMP: USAR SEX: F TYTR: N/A SECCLR: SECRET  
PEBD: N/A HOR: N/A TAC: N/A

FORMAT: 260

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\* USACC \*  
\* OFFICIAL \*  
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SULA L. IRISH  
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DEPUTY CHIEF OF STAFF, G1

DISTRIBUTION: 1 SOLDIER  
1 FT BENNING, GA FT BENNING FT BENNING GA 31905-0000